



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/682,189	10/10/2003	Yasushi Nakazato	243741US2DIV	1268

22850 7590 03/10/2005

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

LEE, SUSAN SHUK YIN

ART UNIT PAPER NUMBER

2852

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/682,189	Applicant(s) NAKAZATO ET AL.	
	Examiner Susan S. Lee	Art Unit 2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 43-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 43-50, 59-75, 78 and 80 is/are allowed.
- 6) ☒ Claim(s) 76, 77, 81 and 82 is/are rejected.
- 7) ☒ Claim(s) 51-58 and 79 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/22/04</u> | 6) <input checked="" type="checkbox"/> Other: <u>See Continuation Sheet</u> |

Continuation of Attachment(s) 6). Other: consideration of papers filed 2/4/05, 1/14/05, and 12/13/04 (2 sheets)..

DETAILED ACTION

Claim Objections

Claims 51-58, 79, and 81 are objected to because of the following informalities:

As to claim 51, line 11, "the light beams" lack antecedent basis.

As to claim 57, line 4, "the plurality of image forming cartridges" lack antecedent basis.

As to claim 79, line 2, "said photoconductive drum" lacks antecedent basis.

As to claim 81, line 7, "said slot" lacks antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 76 and 77 are rejected under 35 U.S.C. 102(b) as being anticipated by Jakobson (3,992, 093).

Jakobson discloses an apparatus for preparation of copies with a housing 23 (note column 8, lines 7-8) in Fig. 8; a light source 39 and mirror lens systems 8, 9 read on the instant invention's means for transmitting an image since the light beam in the form of an image beam 67 is deflected from an original through an exposure slot 25 to and from the mirrors lens 8, 9 via the angular reflector 41 as an image beam 68 to an image slot 42 on to a receptor element. The image slot 42 read on the instant

invention's slot. The receptor element or selenium drum 26 reads on the instant invention's means for receiving and transferring the image because it has an exposure position and a transfer position at the position where the sheet goes between the drum 26 and corona charging device 70 in Fig 8. Note column 6, lines 23-50; fig. 7 and fig. 8. The driving arrangement 11 is used to align the exposure position with the beam by moving mirrors 8, 9 to and fro in the direction of arrow 12. Note column 5, lines 13-29.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 81 and 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strauch et al. (5,278,587) in view of Webb et al. (6,133,932).

Strauch et al. discloses a housing (color electrophotographic printing machine, note column 2, lines 44-47); ROS systems 10, 12, 14, and 16 each generating a modulated laser beam to create image exposures or image areas $I_1 - I_4$ on a photoreceptor belt 18; and holes 23, 24 located on ends of the photoreceptor belt 18 that read on the instant invention's slot since the laser beam from each ROS systems goes through the slots 23, 24 when the belt moves past the scanning of the beams. The accuracy of skew adjustments of the ROS systems can be done with the help of the image exposing laser beams going through slots 23, 24 and detectors 21 and 22. Note column 3, line 43-column 4, line 28.

Strauch et al. differs from the instant invention by not disclosing means and method of transferring the image from a transfer position.

Webb et al. discloses it is well known in the art in a xerographic color image printing system where there is a multiple color image separations produced on a photoreceptor, that in order to have a final hard copy produced on a sheet or medium, the image separations have to be developed with toner powder and transferred from the photoreceptor to a substrate sheet, then the image toner is fixed with heat to permanently affix the powder image thereon. Note column 1, lines 26-65.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Strauch et al. with that of Webb et al. so that a hard copy can be produced from the electrophotographic printer.

Response to Arguments

Applicant's arguments, see pages 15-17 of remarks/arguments, filed 11/24/04, with respect to claims 64-67 have been fully considered and are persuasive. The rejection under 35 USC 102(e) of claims 64-67 has been withdrawn.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Allowable Subject Matter

Claims 43-75 and 78-80 are allowed over the prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan S. Lee whose telephone number is 571-272-2137. The examiner can normally be reached on Mon. - Fri., 10:30-8:00, Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Art Grimley can be reached on 571-272-2136 or 571-272-2800 (Ext. 52). The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Susan S. Lee
Primary Examiner
Art Unit 2852

sl